FIFTH DAY.

Senate Chamber, Austin, Tex., Monday, Jan. 14, 1901.

Senate met pursuant to adjournment. Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Present-21.

Patterson. Beaty. Paulus. Davidson of DeWitt. Potter. Hanger. Savage. Harris of Bexar. Stafford. Harris of Hunt. Swann. James. Turney. Johnson. Wayland. Lipscomb. Wheeler. Wilson. Miller. Yett. Neal.

Absent-9.

Davidson of McGee.
Galveston. Odell.
Goss. Sebastian.
Grinnan. Staples.
Lloyd. Turner.

Absent—Excused.

Dibrell.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of

yesterday,

On motion of Senator Neal, the same was dispensed with.

EXCUSED.

On motion of Senator Harris of Bexar, Senator Grinnan was excused from attendance upon the Senate for today on account of important business.

day on account of important business.

On motion of Senator Harris of Bexar, Senator Turner was excused from attendance upon the Senate for today on account of important business.

On motion of Senator Davidson of De-Witt, Senator Hanger was excused for non-attendance upon the Senate last Friday on account of important business.

On motion of Senator Patterson, Senator Johnson was excused from non-attendance upon the Senate last Thursday and Friday on account of sickness.

PETITIONS AND MEMORIALS.

The Chair laid before the Senate and had read a memorial from R. S. Cutter, of Ochiltree county, asking for certain laws to be passed to prevent unjust and illegal acts of commissioners courts.

Referred to Committee on County and County Boundaries.

BILLS AND RESOLUTIONS.

By Senators Miller and Harris of Hunt.

Senate bill No. 29, A bill to be entitled "An Act to create and establish an industrial institute and college in the State of Texas for the education of white girls in the arts and sciences."

Read first time, and referred to Committee on Education.

By Senator Potter:

Senate bill No. 30, A bill to be entitled "An Act for the relief of railway corporations and belt and suburban railway companies having charters granted or amended since the first day of January, 1887, and which have failed, or about to fail, to construct their roads and branches, or any part thereof, within the time required by law."

Read first time, and referred to Com-

mittee on Internal Improvements.

By Senator Turney:

Senate bill No. 31, A bill to be entitled "An Act to provide for the organization of a 'ranger force' for the protection of the frontier against marauding and thieving parties, and for the suppression of lawlessness and crime throughout the State; to prescribe the duties and powers of the members of such force, and to regulate their compensation."

Read first time, and referred to Com-

mittee on State Affairs.

By Senator Harris of Hunt:

Senate bill No. 32, A bill to be entitled "An Act to prohibit the use of money or other thing of value in a primary election; to prohibit the hiring or employment either directly or indirectly of any person to work or electioneer in the interest of any candidate seeking a nomination to any office at any primary elec-tion held by authority of any political party; to require each candidate seeking such a nomination to file with the county clerk of the county in which he resides a complete and accurate statement, under oath, showing each and every item of expense incurred by him in connection with his candidacy; to define a primary election, and for other purposes."

Read first time, and referred to Judi-

ciary Commitee No. 2.

By Senator James:

Senate bill No. 33, A bill to be entitled "An Act to amend Article 155, Title VI, Chapter 1, of the Penal Code of the State of Texas, relating to elections."

Read first time, and referred to Judiciary Committee No. 2.

Senators Savage and Davidson of De-Witt offered the following resolution:

Resolved, That each elective officer of the Senate shall be allowed postage not to exceed \$5.00 for this session; provided, this shall not apply to the Secretary of the Senate, who has previously been allowed postage not to exceed \$2.50 per month.

The resolution was read a second time, and, on motion of Senator James, was referred to Committee on Contingent Expenses.

Morning call concluded.

The Chair, at 10:30 o'clock a. m., announced that the hour had arrived for the Senate and House to meet in joint session to count the vote and prepare for the inauguration of the Governor and Lieutenant-Governor, and, accordingly, the Senate repaired in order to the Hall of the House of Representatives.

IN JOINT SESSION.

At 10:30 o'clock a. m., the Honorable Senate of Texas was announced at the bar of the House, and, escorted by Sergeant-at-Arms of the Senate, C. H. Allen, and Assistant Secretary of the Senate, W. B. O'Quinn, the Senators advanced into the Hall and, by direction of the Speaker, occupied seats along the aisle already prepared for them.

President of the Senate, Hon. Jas. N. Browning, was then invited to a seat on the rostrum on the right of the Speaker.

Speaker Prince called the joint session to order, and directed the Clerk to call the roll. The following members answered to their names:

Messrs. Ackerman, Aldrich, Allred, Bean, Beaty, Blalock, Boyd, Bridgers, Brown, Bryan, Calhoun, Callan, Calvin, Clements, Cole, Connally, Craddock, Cuny, Dean, Decker, Dillard, Doyle, Ellis, Evans, Fears, Fountain, Garner, Gary, Gay, Glenn, Goodlett, Gray of Comanche, Gray of Eastland, Green, Griggs, Grisham, Harbison, Hawkins, Hemphill, Henderson of Henderson, Hendrick, Heslep, Hill, Hogsett, Houts, Hurt, Kyle, Lively, Looney, McAnally, McClellan, McInnis, McKnight, McMeans, Meece, Meitzen, Moore, Moran, Morris, Morrow, Moursund, Mulkey, Mugg, Murrell, Napier, Neff, Nicholson, Nolan, Nowlin, Palmer, Parish, Perkins, Perry, Phillips, Pickett, Pierson, Poole, Porter, Ragland, Roach, Robertson of Williamson, Rodriguez, Rowland, Russell, Satterwhite, Seabury, Searcy, Shaw, Stell, Stewart, Stollenwerck, Strother, Talbot, Tarpey, Terrell of Cherokee, Terrell of McLennan, Tharp, Thurmond, Tinkler, Van Sickle, Walker, Wells of Grayson, Wells of Red River, of the Senate, W. B. O'Quinn,, advanced

Willacy, Williams, Willingham. Present, including Speaker, 107.

The Speaker announced a quorum present.

The President of the Senate directed the Secretary to call the roll of the Senate, and the following Senators answered to their names:

Senators Beaty, Davidson of DeWitt, Hanger, Harris of Bexar, Harris of Hunt, James, Johnson, Lipscomb, Miller, Neal, Patterson, Paulus, Potter, Savage, Stafford, Swann, Turney, Wayland, Wheeler, Wilson, Yett. Total present, 21.

The President announced a quorum

The Speaker then announced that the two houses were in joint session for the purpose of counting the vote cast for Governor and Lieutenant-Governor of the State of Texas at the last general election, held November 6, 1900.

The President announced the following tellers on part of the Senate:

Senators Paulus, Wheeler and Harris

The Speaker announced the following tellers on part of the House:

Messrs. Decker, Thurmond and Mulkey. The Speaker then requested the tellers to come forward, and he delivered to them the returns of the general election held in this State, Tuesday, November 6, 1900, for Governor and Lieutenant-Governor, and which returns were by the Secretary of State duly delivered to him as Speaker of the House of Representatives of the Twenty-seventh Legislature.

The Speaker assigned Enrolling Clerk S. P. Weisiger and Engrossing Clerk J. E. McFarland to assist the tellers in tabulating the vote.

The tellers then proceeded to count the vote.

Pending the count, Mr. Mulkey, on part of the House, moved that the joint session take a recess until 1:30 p. m. today.

The Speaker announced that the motion prevailed on part of the House.

Mr. Miller, on part of the Senate, moved that the joint session take a recess until 1:30 p. m. today.

The President announced that the motion prevailed on part of the Senate.

The Speaker then declared the joint session closed for recess until 1:30 o'clock p. m. today.

The Senate retired to its chamber.

IN JONT SESSION.

The Honorable Senate of Texas was then announced at the bar of the House, and, accompanied by Assistant Secretary into the Hall and resumed the same seats as in the forenoon, while the President, Hon. J. N. Browning, resumed his seat on the right of the Speaker.

The Speaker then announced that the two houses were again in joint session for the purpose of completing the count of the vote for Governor and Lieutenant-Governor.

The count of the vote was then resumed, the same tellers acting as in the forenoon.

(Pending the count, Senator Davidson of DeWitt, on part of the Senate, was called to the chair.)

When the count was concluded the tellers announced the following result:

		For	Gove	rnor.		For Lieutenant-Governor.					
Counties.	Joseph D. Sayers.	R. E. Hannay.	T. J. McMinn.	G. H. Royal.	Scattering.	J. N. Browning.	John B. Schmitz.	Clarence Nugent.	Edmund Bellinger.	Scattering.	
Anderson	2698	1388	90		18	2692	1332	91		1	
Andrews						1000					
AngelinaAransas	1414 214	441 114	201 9	•••••	29	1383 215	478 113	203	1 1	25 2	
Archer.	468	81	14			470	82	14	,		
Armstrong	196	34	24		28	198	32	23	}	30	
Atascosa	941 2056	$\begin{array}{r} 134 \\ 932 \end{array}$	54 1	4	5 1	923 2038	138 938	67		5 5	
Bandera	550	350	46	.	11	557	364	42		11	
Bastrop	2617	1425	121		56	2242	1806	122		54	
Bailey	534	69				553	69	}			
BaylorBee	1080		13		2	1073	291	13	*********	2	
Bell	4690	1212	298	1		4705	1045	303		50	
Bexar	5787	3318	56	71		5664	3446	37	72	188	
BlancoBorden	557 138	356 28	101 20		15	550 140	360 29	68 20		15	
Bosque.	1836	407	3 4 3		1	1848		349		13	
Bowie	2068	1791	69		21	1881	1930	65	-	20	
Brazoria	1244 2348	374 1048	15		29 47	1156 2344	372 1050	14 36		111 11	
BrazosBrewster	268	199			41	267	199			1.1	
Briscoe	230	17	18		5	230	17	18		5	
Brown	1996	544	176		12	1990	559	171		10	
Burleson Burnet	2282 1651	657 29	35 172		12	1618 1670	1304 29	162		$\frac{7}{24}$	
Caldwell	2301	327	131		32	2254	740	130		193	
Calhoun	323	67		·····		390	78	;			
Callahan	869 1600	118 1526	5	********	7	866 1568	114 1559	6	•••••	7	
Cameron	698	693	83			1000	1.,00				
Carson	105	21	2			105	21	2			
Cass	1421	1655	451		8	1415 124	1661	466		8	
Chambers	124 325	22			169	323	22	2		161	
Cherokee	2023	1160	608		2	2011	1232	643		4	
Childress	401	38	24		147	401	38	24 63		124	
Clay Cochran	1219	254	68	********	141	1208	252			134	
Coke	374	121	100		5	364	120	100		5	
Coleman	1525	201	53		12	1523	201		•••••	13	
Collingsworth	5178 212	$\begin{array}{r} 1530 \\ 21 \end{array}$	187 24		148	5174 211	1530 22	191 23		141 5	
Colorado	2072	1367	50		3	2052	1391	51		่ 3	
Comal	803	479	1			751	532				
Conche	2210	346	1518 21		33	2161 218	348 71	1544 21	********	33	
Cooke	220 3338	550	18		86	3336	547	$\tilde{1}$		87	
Coryell	2262	416	327		4	2231	442			! 4	
Cottle	156	27	12		2	148	25	10		1	
Crane Crockett	175	172		••••		175	172				
Crosby	174	5				171	4				
Dallam	35					35	9000				
Dallas Dawson	9035	2732	145	23		9031	2803	148	12	171	
Deaf Smith	198	39				198	40				
Delta	1537	559	723	1	29	1530	563	727		216	
Denton De Witt	3417	890	35		74 24	3272	1032 1262	36		73 23	
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Dickens	195 145	124	19			145	124	19			
Dickens		124 68	19 43		41					42	

		For	Gove	rnor.		For Lieutenant-Governor.					
Counties.	Joseph D. Sayers.	R. E. Hannay.	T. J. McMinn.	G. H. Royal.	Scattering.	J. N. Browning.	John B. Schmitz.	Clarence Nugent.	Edmund Bellinger.	Scattering.	
Ector Edwards Ellis El Paso Erath Falls Fannin Fayette Fisher Floyd Foard Foard Fort Bend Franklin Freestone Frio Galveston Gaines Garza Gillespie Glasscock Goliad Gonzales Grayson Gregg Grayson Gregg Grimes Guadalupe Hale Hall Hamilton Hardeman Hardeman Hardeman Hardin Harris Harrison Hartley Haskell Hays Hemphill Henderson Hidalgo Hill Hockley Hood Hopkins Houston Howard Hunt Hutchinson Irion	85 294 5735 2682 3075 3456 5848 3792 446 275 242 1106 1489 541 3771 478 478 2515 1756 281 316 1192 29 571 408 1192 450 1408 1408 157 1408 1408 1408 1408 1408 1408 1408 1408	1638 2103 911 577 355 2066 1171 200 1576 1117 5 672 1249 2211 888 711 740 26 335 2310 822 2310 822 335 429 52 52 52 52 52 52 52 52 52 52 52 52 52	696 899 279 188 181 43 46 23 185 209 34 1 1 39 587 73 22 255 33 9 534 22 255 209 201 21 22 21 25 20 20 20 20 20 20 20 20 20 20 20 20 20		114 103 405 212 2 32 12 10 3 5 15 33 8 8 8	80 291 5695: 2661: 3134 3288 5840 3710 444 272 241: 651: 1105 1492 515; 3736 457 188: 6731 8166 1603 1723 2489 , 6731 1723 2489 1723 1723 1723 1723 1723 1723 1723 1723	29 270 889 841 739 1577 1645 2175 58 962 206 1173 225 1583 1139 56 11269 2270 887 227 1745 422 266 380 88 92 337 2313 873 463 49 49 49 49 49 49 49 49 49 49 49 49 49	710 977 279 189 176 44 46 15 181 239 601 72 21 255 33 7 571 23 20 21 21 20 21 21 21 22 21 21 21 21 21 21 21 21 21		213 32 32 111 10 5 12 36 35 130	
Jack Jackson Jasper. Jeff Davis Jefferson Johnson. Jones. Karnes. Kaufman Kendall Kent Kerr.	1037 471 530 109 1755 3705 755 1009 3553 294 175 576 306	305 357 460 139 1275 871 130 232 648 461 27 344	465 299 158 77 17 16 13		39 1 7 92 52, 24 4 98 3 12	1041 464 526 107 1742 3671 736 1010 3576 280 171 570 276	302 383 460 141 1292 868 130 239 650 475 40 349 130	495 294 150 77 17 16		92 92 51 22 4 97	

		For	Gover	nor.		For Lieutenant-Governor.				
Counties.	Joseph D. Sayers.	R. E. Hannay.	T. J. McMinn.	G. H. Royal.	Scattering.	J. N. Browning.	John B. Schmitz.	Olarence Nugent.	Edmund Bellinger.	Scattering.
Xnox	424	23	41		3	420	28	42		3
Lamb	4257	1527	184		40	4257	1526	183		45
Lampasas	972		136		389	971		132		394
La Salle	185	323	•••••	•••••		182	321	•••••		•••••
_avaca	1418	877	39	********	4	1315	790	38		5
Leon	1736	1074	95		23	1742	1080	84		12
Liberty	824	307	45			824	497	78		
imestone	3330	935	238		80	1319	937	230		88
ipscomb	135 414	60 51	5	••••••		135	60		••••••	••••••
Jano	860	238	165		24	839	246	180		20
oving										
ubbock	197		6		15	196		6		15
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[ason]	627	350	77		306	621	38	79		30
latagorda	352	252	6	•••••	19	352	254	6		
laverick	415 552	411 203	47		18	406 546	411 207	46	•••••	1
AcCulioch	5372	1726	60		75	5367	1755	63		7
IcMullen	158	64	Ĩ			158	64	1		
<u> [edina</u>	920	501	21	•••••	7	906	516	21		
lenard	334 278	147 71	18		8	330 277	150 71	18	•••••	•••••
lidland Jilam	3470	1107	575	**********	16	3402	1162	626		1
fills	845	288	286		iĭ	736	295	289		1
<u> [itchell</u>	460	133	21		7	461	133	21		
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Aontgomery	1455 59	877	128	•••••	• • • • • • • • • • • • • • • • • • • •	1443 58	703	140		
Iorris	738	586	119		3	739	586	106		
Motley	261	6			2	261	6			•
acogdoches	1870	1005	1096		3	1842	1008	1131		10
lavarro	4577 824	1222 342	662		128	4614 760	1217 437	663		10
Volan	404	125			11	351	126			1
lueces	1167	440			1	1165	441	1		
Chiltree	23	10			1	23	10			
Oldham	86 875	16 387	23		116	85 835	16 383	8		1
Palo Pinto	675 1516		438		97	1491	69			11
Panola	1780		17			1785	665	17		
arker	2789	396	798		55	2661	405	855		5
Parmer	905	104		******	4	291	188	*********		
Pesos Polk	295 1156	184 860	332		4	1152	871	331		
otter	349		2		3	362	79	2	ļ	;
Presidio	409				1	278	120			1
Rains	556	444	124		17	556 90	444 37			1
andalled River	$229 \\ 2641$	37 834	472		12	29 2634	1143			42
Reeves	578	24	15		1	577	11			17
Refugio	216	57				199	75			
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Robertson	1145	118 1611	6		8	653	121	5 184		

,	}	For	Gove	rnor.	For Lieutenant-Governor.					
Counties.	Joseph D. Sayers.	R. E. Hannay.	T. J. McMinn.	G. H. Royal.	Scattering.	J. N. Browning.	John B. Schmitz.	Olarence Nugent.	Edmund Bellinger.	Scattering.
an Patricio	473	40	905			473	40	272		
an Sabachleicher	1225		295		4	1117		373		Ì '
curry	398	100	298		8	403	101	296		
hackelford	269	60		[$\tilde{2}$	259	55			}
helby	1779	367	60	[48	1779	364	59		4
herman	24	8				24	8			
mithomervell	2802 437	2324 23	145	}	61	2818	2332	130		6
tarr	1248	856	252		4	409 1249	22 489	276	ļ	36
tephens	867	34	211		3	864	31	210		30
terling	149	47	57		l	148	46	58		
tonewall	400	25	5			396	22	5		
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wisher	166	1000	8	•••••	1	166	40	9	•••••	
arrant aylor	5766 1298	1228 323	201 230		24 35	5728 1258	1277 329	217	ļ	
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hrockmorton	256	59	46		4	253	62	47		[
itus	1018	406	189			1015	400	193		
om Green	620	219	3		5	609	258	3		ł
ravis'	4975	1924	116	[34	4929	1978	114		1 3
rinity Yler	1156 1256	479 482	45 55		1	1131 1251	503	46		ļ
Jpshur	1444	866	211	**********		1444	346 864	51 212		,
Jpton			~			1111	001	~1.		
Jvalde	595	250			12	585	255			
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an Zandt	2291					2298			{	
VictoriaValker	1271	957	**********	[1256	969		}	
Valler	1364 958	1086 794	103 6	•••••	••••••	1357	1057	96	·····	
Vard	226	134	U		11 11	992 225	751 135	6	}	
Vashington	2348	1030	2		12	1987	1468	1]
Vebb	1230	1655				1229				16
Vharton	797	523	5			795	524	5		
Vheeler	120	22	2			118	2	$\frac{2}{2}$		
Vichita Vilbarger	922	205	18		1	924	206	17	}	ļ
Villiamson	685 4580	76 762	11 512		20 65	689 4476	$\begin{array}{c} 74 \\ 841 \end{array}$	12 593		} (
Vilson	1839	433	70		36	1832	443	97 97		
Vinkler								J		ļ
Vise	3033	642	336		42	3026	649	338		,
Vood	1654	671	532		35	1652	670	528		} ;
oakum								·····		} ,
Oung	917	148	74		89	920	133	71	ļ	8
apataavala	159	413			•••••	112	460		J	•••••
	139	28	7			136	28	7		

Total vote for Governor, 449,339. Total vote for Lieutenant-Governor, 447,046.

Hons. J. N. Browning, President of the Senate, and R. E. Prince, Speaker of the House of Representatives.

SIRS: We, your committee appointed to canvass the vote for Governor and Lieutenant-Governor, beg leave to report that we have completed said canvass and submit the following result:

Votes for Governor: Jos. D. Sayers, 303,586. R. E. Hannay, 112,864. T. J. McMinn, 26,579. G. H. Royal, 155. Scattering, 6,155. Total votes for Governor, 449,339.

Votes for Lieutenant-Governor: J. N. Browning, 297,621. Jno. B. Schmitz, 113,618. Clarence Nugent, 27,022. Edmund Bellinger, 84. Scattering, 8,701.

Total votes for Lieutenant-Governor, 447,046.

> WHEELER, HARRIS of Hunt, PAULUS, Committee on part of Senate.

DECKER, MULKEY THURMOND, Committee on part of House.

Whereupon, Hon. R. E. Prince, acting in his constitutional capacity as Speaker of the House of Representatives of the Twenty-seventh Legislature of Texas, announced as follows:

"Joseph D. Sayers having received the highest number of votes cast, I, by the authority vested in me by the Constitution and laws of the State of Texas, declare him legally and constitutionally elected Governor of the State of Texas for the ensuing term of two years."
"James N. Browning having received

the highest number of votes cast, I, by the authority vested in me by the Constitution and laws of the State of Texas, declare him legally and constitutionally elected Lieutenant-Governor of the State of Texas for the ensuing term of two years."

The Speaker then announced that the business of the joint session was concluded, and, on motion of Senator Hanger, the Senate retired to its chamber.

IN THE SENATE.

By unanimous consent, Senator Savage sent up the following committee report:

Committee Room, Austin, Texas, Jan. 14, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: We, your Committee on Contingent Expenses, to whom was referred

The resolution allowing postage not to exceed \$5.00 for elective officers of the Senate during the session,

Beg leave to report back to the Senate that the resolution be not adopted, but that the following be adopted in lieu thereof:

Resolved, That the following officers of the Senate and no others shall be allowed postage not to exceed \$5.00 for this Sergeant-at-Arms, Doorkeeper, session: Journal Clerk, Calendar Clerk, Enrolling Clerk and Engrossing Clerk.

Resolved further, That the following officers be allowed postage not to exceed \$2.50 for this session: Assistant Doorkeeper, Assistant Sergeant-at-Arms, Assistant Journal Clerk, Assistant Enrolling Clerk, Assistant Engrossing Clerk, Assistant Secretary, Postmaster and Assistant Postmaster.

SAVAGE, Chairman.

The report was read, and adopted.

BILLS AND RESOLUTIONS.

By unanimous consent, the following bill was introduced:

By Senator Wilson:

Senate bill No. 34, A bill to be entitled "An Act to appropriate the sum of \$225 for the use of the General Land Office to purchase stamps to enable said office to conduct business for the remainder of the year ending February 28, 1901."

Read first time, and referred to Com-

mittee on Finance.

PRIVILEGED COMMITTEE REPORT.

Committee Room. Austin, Texas, Jan. 14, 1901.

To the Hon. J. N. Browning, President of the Senate, and the Hon. R. E. Prince, Speaker of the House.

SIRS: Your respective Committees on Rules, having met in joint session for the purpose of agreeing upon a system of joint rules for the two houses of the Twenty-seventh Legislature, beg leave to submit the following report:

We recommend that the joint rules governing the two houses of the Twentysixth Legislature, as contained in the Texas Legislative Manual for 1899, be adopted as the joint rules of the two houses of the Legislature, with the following additional section added thereto, towit:

"18. On all questions of parliamentary law and practice relating to disagreement, and communications between the two houses, enrolling and signing of bills and resolutions and their presentation to the Governor, elections by vote, joint sessions for the purposes, and in general the relations of the two houses of the Legislature, where these joint rules are silent or inexplicit, the law, practice and procedure of Congress, as set out in Jefferson's Manual and in the latest Digest of the Rules and Practice of the House of Representatives, shall be followed."

We would further suggest that 250 copies of the joint rules, when adopted, and of the rules of the Senate and of the House, with lists of membership of each body and of its committees, and the States in full, be printed and bound to- | ing.

gether for the use of the members and officers of the two houses.

On the part of the Senate-POTTER, Chairman Senate Committee on Rules. On the part of the House-SEABURY, Chairman House Committee on Rules. The report was read, and adopted.

BILL RE-REFERRED.

On motion of Senator Harris of Bexar, Senate bill No. 9, which had been referred to Judiciary Committee No. 2 on January 10, was withdrawn from that committee and referred to Judiciary Committee No. 1.

On motion of Senator Miller, the Senate, at 4:25 o'clock p. m., adjourned Constitution of Texas and the United until 10 o'clock a. m. tomorrow morn-

